Reg. No. KRNA—25.

Karnataka Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2-B (i)

BANGALORE, MONDAY, AUGUST, 18, 1975
(SHRAVANA 27, SAKA ERA 1897)

No. 2487

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 48 LGN 75 Bangalore Dated 13th August 1975.

Ordered that the **Karnataka Land Revenue (Amendment) Act, 1975**, which received the assent of the Governor on the Twelfth day of August, 1975, be published as Karnataka Act. No. 33 of 1975 in the *Karnataka Gazette* for general information.

KARNATAKA ACT No. 33 OF 1975

(First published in the Karnataka Gazette on the Eighteenth day of August 1975)

THE KARNATAKA LAND REVENUE (AMENDMENT) ACT, 1975

(Received the assent of the Governor on the Twelfth day of August 1975)

AN Act further to amend the Karnataka Land Revenue Act, 1964.

WHEREAS it is expedient further to amend the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964);

BE IT enacted by the Karnataka State Legislature in the Twenty-sixth Year of the Republic of India as follows:—

1. **Short title and commencement**:—(1) This Act may be called the Karnataka Land Revenue (Amendment) Act, 1975.

(2) It shall be deemed to have come into force on the tenth day of July 1975.

2. **Amendment of section 18**:—In section 18 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) (hereinafter referred to as the principal Act), in sub-section (1), for the words "Commissioner for Survey, Settlement and Land Records", the words "Director of Survey, Settlement and Land Records" shall be substituted.

3. **Amendment of section 49**:—In section 49 of the principal Act,—

(i) after the words "the rules made thereunder", the words, figures and brackets "and from every order

made in exercise of the powers conferred by section 54 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908)" shall be inserted;

(ii) in clause (a), after the words "subordinate to the Assistant Commissioner", the words " whether or not invested with the powers of the Assistant Commissioner or the Deputy Commissioner ", shall be inserted;

(iii) for clauses (c), (d), (e), (f) and (g), the following clauses shall be substituted, namely :—

" (c) if such an order is passed by the Deputy Commissioner, to the Tribunal;

(d) if such an order is passed by the Divisional Commissioner, to the Tribunal;

(e) if such an order is passed by a Survey Officer below the rank of an Assistant Superintendent of Land Records or the Assistant Superintendent for Settlement, to the Assistant Superintendent of Land Records or the Assistant Superintendent for Settlement, as the case may be;

(f) if such an order is passed by a Survey Officer of the rank of an Assistant Superintendent of Land Records or Assistant Superintendent for Settlement, to the Deputy Commissioner of Land Records or the Deputy Commissioner for Settlement, as the case may be;

(g) if such an order is passed by the Deputy Commissioner of Land Records or the Deputy Commissioner for Settlement, to the Director of Survey, Settlement and Land Records;

(h) if such an order is passed by the Director of Survey, Settlement and Land Records, to the Tribunal".

4. **Amendment of section 50.**—In sub-section (1) of section 50 of the principal Act,—

(i) for clauses (b) and (bb), the following clauses shall be substituted, namely :—

" (b) if such an order is passed by the Deputy Commissioner, to the Tribunal;

(b1) if such an order is passed by the Assistant Superintendent for Settlement or the Assistant Superintendent of Land Records, to the Director of Survey, Settlement and Land Records";

(ii) in clause (c), for the words "Commissioner of Survey", the words "Director of Survey" shall be substituted.

5. Amendment of section 56.–In section 56 of the principal Act,—

(1) in sub-section (1)—

(i) after the words "subordinate officers under this Act", the words, figures and brackets "or under section 54 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908)" shall be inserted;

(ii) the proviso shall be omitted;

(iii) for the Explanation, the following Explanation shall be substituted, namely :—

"*Explanation* :—For the purposes of this sub-section,—

(i) Special Deputy Commissioner shall be deemed to be not subordinate to the Deputy Commissioner; and

(ii) all revenue officers shall be deemed to be subordinate to the Tribunal.

(2) sub-section (1A) shall be omitted;

(3) in sub-section (2), for the words "State Government" in the two places where they occur the word "Tribunal" shall be substituted;

(4) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) No application for revision under this section and no power of revision on such application shall be exercised against any order in respect of which an appeal under this Chapter has been preferred and no application for revision shall be entertained unless such application

is presented within a period of four months from the date of such order :

Provided that any Revenue Officer or Survey Officer referred to in sub-section (1) may exercise power under this section in respect of any order against which no appeal has been preferred under this Chapter, at any time within three years from the date of the order sought to be revised.

Explanation.—In computing the period of limitation for the purpose of this sub-section, any period during which any proceeding under this section is stayed by an order or an injunction by any court shall be excluded."

6. Transfer of appeals etc.—Notwithstanding anything contained in sections 49, 50 or 56 of the principal Act as in force before the date of commencement of this Act or in section 6 of the Karnataka General Clauses Act, 1899,—

(a) appeals and proceedings connected therewith and all proceedings in revision relating to grant of lands pending before the State Government or the Divisional Commissioner immediately before the date of commencement of this Act shall with effect from that date, stand transferred to the Tribunal and the said appeals and proceedings shall be disposed of by the Tribunal as if the said appeals and proceedings had been preferred or commenced before the Tribunal under the principal Act as amended by this Act;

(b) in respect of an order or proceedings under the principal Act relating to the grant of land disposed of by the Deputy Commissioner or the Divisional Commissioner immediately before the date of commencement of this Act no appeal or revision shall lie to the Divisional Commissioner or the State Government, as the case may be, but an appeal or revision shall lie to the Tribunal as if the Tribunal were the appellate or revisional authority under the principal Act, and the appeal or revision shall be disposed of by the Tribunal accordingly.

Explanation.—In this section, the expression "Divisional Commissioner" and "Tribunal" shall have the same meaning as in the principal Act.

7. Repeal of Karnataka Ordinance No. 7 of 1975.—The Karnataka Land Revenue (Amendment) Ordinance, 1975 (Karnataka Ordinance No. 7 of 1975) is hereby repealed :

Provided that any thing done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,

Draftsman and Ex-Officio,
Joint Secretary to Government,
Department of Law and Parliamentary Affairs.

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.